

ORDINANCE NO. 92-3

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA; REPEALING ORDINANCE NO. 87-8 AND ORDINANCE NO. 88-17; WHICH PROVIDED FOR A WAITING PERIOD BETWEEN THE PURCHASE AND DELIVERY OF A HANDGUN; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on November 6, 1990, the electorate of the State of Florida passed an amendment to Section 8 of Article I of the State Constitution which mandates a 3-day waiting period between the sale and the delivery of a handgun at retail; and

WHEREAS, the Legislature, as required by the amendment, enacted Section 790.0655, Florida Statutes, which sets forth the terms of a mandatory waiting period and provides a felony penalty for any violation thereof; and

WHEREAS, Palm Beach County enacted Ordinance No. 87-8, as amended by Ordinance No. 88-17, which provides for a waiting period similar to that enacted by the Legislature; and

WHEREAS, the legislative enactment applies statewide and is more restrictive than the local regulations, therefore, it is the Board of County Commissioners' desire to repeal its existing ordinances, as the waiting period the Board found to be in the best interest of its residents is now required by the State.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

SECTION 1.

Ordinance No. 87-8 and Ordinance No. 88-17 are hereby repealed.

SECTION 2. INCLUSION IN THE CODE OF LAWS AND ORDINANCES

The provisions of this ordinance shall become and be made a part of the code of laws and ordinances of Palm Beach County, Florida. The section of this ordinance may be renumbered or relettered to accomplish this, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

SECTION 3. EFFECTIVE DATE

The provisions of this ordinance shall become effective upon receipt of acknowledgement by the Secretary of State.

1 APPROVED and ADOPTED by the Board of County Commissioners  
2 of Palm Beach County, Florida, on this the 18th day of  
3 February, 1992.

4 PALM BEACH COUNTY, FLORIDA, BY ITS  
5 BOARD OF COUNTY COMMISSIONERS

6 By: [Signature]

7 Chair

8 APPROVED AS TO FORM AND  
9 LEGAL SUFFICIENCY

MILTON T. BAUER, CLERK  
Board of County Commissioners

10 By: [Signature]

11 County Attorney

DEPUTY CLERK

12 Acknowledgement by the Department of State of the State of  
13 Florida, on this the 28th day of February  
14 1992.

15 **EFFECTIVE DATE:** Acknowledgement from the Department of State  
16 received on this the 5th day of March  
17 1992, at 10:06 AM., and filed in the Office of the Clerk of the  
18 Board of County Commissioners of Palm Beach County, Florida.

19 handgun.ord